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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THOMAS ROGER WHITE, JR. and
PATRICIA CAULEY on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

SAMSUNG ELECTRONICS
AMERICA, INC. and SONY
ELECTRONICS INC.,

Defendants.

Civil Action No. 17-1775 (MCA) (SCM)
Hon. Madeline Cox Arleo, U.S.D.J.
Hon. Steven C. Mannion, U.S.M.J.

Return Date: February 19, 2019

(Oral Argument Requested)

Document Electronically Filed

**NOTICE OF MOTION TO DISMISS
BY DEFENDANTS SAMSUNG
ELECTRONICS AMERICA, INC.
AND SONY ELECTRONICS INC.**

PLEASE TAKE NOTICE that on February 19, 2019, at 9:30 a.m., or at such other date and time as may be set by the Court, Defendants Samsung Electronics America, Inc. and Sony Electronics Inc. (collectively, “Defendants”), by and through their undersigned attorneys, will move before the Honorable Madeline Cox Arleo, U.S.D.J., United States District Court for the District of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Courtroom 4A, Newark, New

Jersey 07101, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Second Amended Complaint.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendants will rely on the accompanying Joint Brief in Support of their Motion to Dismiss the Second Amended Complaint under Fed. R. Civ. P. 12(b)(6), and all pleadings and proceedings on file.

PLEASE TAKE FURTHER NOTICE that a Proposed Form of Order is being submitted herewith.

PLEASE TAKE FURTHER NOTICE that Defendants hereby request oral argument.

PLEASE TAKE FURTHER NOTICE that the Joint Motion to Dismiss is being filed in accordance with the parties' Stipulation and Order filed on November 16, 2018 [ECF No. 87], pursuant to which any opposition shall be filed by Friday, January 25, 2019, and any replies shall be filed by Friday, February 15, 2019.

Dated: December 17, 2018

Respectfully submitted,

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